

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:	Kevin Donovan	Examiner:	Dohm Chankong
Application No.:	09/385,802	Group Art Unit:	2452
Filed:	August 30, 1999	Attorney Docket No.:	15719US00
For:	Universal Instant Messaging System for The Internet		

RESPONSE

MS: Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 2231301459

S I R:

In response to the Office Action mailed July 20, 2010, in the above-referenced patent application, reconsider the application. Applicant respectfully requests an interview.

In the Office Action, the claims have been made subject to a nonstatutory double patenting rejection, which is characterized at page 3 of the Office Action as "provisional."

In response, since allowability of claims has not been indicated, it is believed to be premature for the PTO to require more than a "provisional double-patenting rejection," and Applicant will gladly respond (traverse or file a terminal disclaimer) after allowability has been indicated by the PTO.

In the Office Action, all claims have been rejected pursuant to 35 USC Sec. 103, for reasons set out in the Office Action. In the Office Action, with respect to the Declaration of Scott Rader, the Examiner contends:

"This statement represents the only submission by Applicant to support the limitation for "encrypting an instant message sent between the devices during the instant messaging session."

In response, the contention is respectfully traversed. A screen shot has been submitted and authenticated to show the encryption feature, and a log of an IM session has also been